

108TH CONGRESS  
2D SESSION

# H. R. 4838

To establish a Healthy Forest Youth Conservation Corps to provide a means by which young adults can carry out rehabilitation and enhancement projects to prevent fire and suppress fires, rehabilitate public land affected or altered by fires, and provide disaster relief, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 15, 2004

Mr. WALDEN of Oregon (for himself and Mr. UDALL of New Mexico) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish a Healthy Forest Youth Conservation Corps to provide a means by which young adults can carry out rehabilitation and enhancement projects to prevent fire and suppress fires, rehabilitate public land affected or altered by fires, and provide disaster relief, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Healthy Forest Youth  
3 Conservation Corps Act of 2004”.

4 **SEC. 2. FINDINGS.**

5       Congress finds that—

6           (1) the natural fire regimes of forested public  
7 land have been altered by intensive fire suppression;

8           (2) fire suppression has led to increased risk of  
9 unnaturally severe wildfires that in recent years have  
10 destroyed thousands of homes, devastated agricul-  
11 tural crops and livestock, reduced biodiversity, and  
12 scorched thousands of areas of soil and natural re-  
13 sources;

14           (3) catastrophic wildfires pose a particular  
15 threat to communities and wildlife living close to for-  
16 ested wildland, known as the “wildland-urban inter-  
17 face”;

18           (4) each year millions of dollars are spent to  
19 fight severe wildfires and protect communities where  
20 municipal water supplies, human lives, and property  
21 are threatened;

22           (5) contracts and cooperative agreements be-  
23 tween Federal agencies and State and local govern-  
24 ments and other entities empower communities and  
25 are cost-effective tools that provide positive social  
26 and environmental benefits, and the use of such con-

1 tracts and agreements should be encouraged as a  
2 means to prevent unnaturally severe fires, rehabili-  
3 tate public land affected or altered by fires, and en-  
4 hance and maintain environmentally important land  
5 and water;

6 (6) joint collaborations between the Federal  
7 agencies and service and conservation corps com-  
8 posed of young adults are particularly beneficial, as  
9 the collaborations provide—

10 (A) young adults the opportunity to pre-  
11 pare for productive lives while engaged in  
12 meaningful and educational public service op-  
13 portunities; and

14 (B) the public with cost-saving human re-  
15 sources to assist in conserving, maintaining,  
16 and protecting public land.

17 **SEC. 3. PURPOSES.**

18 The purposes of this Act are—

19 (1) to allow service and conservation corps to  
20 enter into agreements with public land management  
21 agencies to perform rehabilitation and enhancement  
22 projects to prevent fire, rehabilitate public land af-  
23 fected or altered by fires, and suppress fires, and  
24 provide disaster relief;

1           (2) to offer young adults, particularly those who  
2           are at-risk or economically disadvantaged, who are  
3           members of a service and conservation corps the op-  
4           portunity to gain productive employment;

5           (3) to provide those young adults the oppor-  
6           tunity to serve their communities and their country;  
7           and

8           (4) to expand educational opportunities by re-  
9           warding individuals who participate in the Healthy  
10          Forest Youth Conservation Corps with an increased  
11          ability to pursue higher education or employment.

12 **SEC. 4. HEALTHY FOREST YOUTH CONSERVATION CORPS.**

13          (a) ESTABLISHMENT.—There is established a  
14          Healthy Forest Youth Conservation Corps.

15          (b) PARTICIPANTS.—The Corps shall consist of  
16          young adults who are enrolled as members of a service  
17          and conservation corps covered by a contract or coopera-  
18          tive agreement entered into under subsection (c).

19          (c) CONTRACTS OR AGREEMENTS.—The Secretary  
20          concerned may enter into contracts or cooperative agree-  
21          ments directly with—

22                (1) any service and conservation corps to carry  
23                out a rehabilitation and enhancement project de-  
24                scribed in subsection (d); or

1           (2) a department of natural resources, agri-  
2           culture, or forestry (or an equivalent department) of  
3           any State that has entered into a contract or cooper-  
4           ative agreement with a service and conservation  
5           corps to carry out a rehabilitation and enhancement  
6           project described in subsection (d).

7           (d) AUTHORIZED PROJECTS.—Under a contract or  
8           cooperative agreement entered into under subsection (c),  
9           a service and conservation corps may carry out a rehabili-  
10          tation and enhancement project to prevent fire and sup-  
11          press fires, rehabilitate public land affected or altered by  
12          fires, and provide disaster relief, including—

13                (1) a project relating to the National Fire Plan;

14                (2) a project relating to the Healthy Forests  
15          Restoration Act of 2003 (16 U.S.C. 6501 et seq.);  
16          and

17                (3) other activities allowed under—

18                        (A) a national forest and grassland land  
19                        management plan; or

20                        (B) a Bureau of Land Management land  
21                        use plan.

22           (e) PRIORITY PROJECTS.—In entering into a contract  
23          or cooperative agreement under subsection (b), the Sec-  
24          retary concerned shall give priority to projects that will—

25                (1) reduce hazardous fuels on public land;

1           (2) restore public land affected or imminently  
2           threatened by disease or insect infestation;

3           (3) rehabilitate public land affected or altered  
4           by fires;

5           (4) assess windthrown public land or public  
6           land at high risk of reburn;

7           (5) work to address public land located within  
8           relative proximity to a municipal watershed and mu-  
9           nicipal water supply;

10          (6) provide related emergency assistance, such  
11          as natural disaster relief and the rescue of lost or  
12          injured persons;

13          (7) instill in members of the service and con-  
14          servation corps a work ethic and a sense of personal  
15          responsibility;

16          (8) be labor-intensive; and

17          (9) be planned and initiated promptly.

18          (f) SUPPORTIVE SERVICES.—The Secretary con-  
19          cerned may provide such services as the Secretary con-  
20          siders to be necessary to carry out this Act, including tech-  
21          nical assistance, oversight, monitoring, and evaluation to  
22          or for—

23                 (1) State departments of natural resources and  
24                 agriculture (or equivalent agencies);

25                 (2) service and conservation corps;

1           (3) in the case of Indian lands, the applicable  
2       Indian tribe;

3           (4) in the case of Hawaiian home lands, the ap-  
4       plicable State agency in the State of Hawaii; and

5           (5) in the case of land under the jurisdiction of  
6       an Alaska Native Corporation, the applicable Alaska  
7       Native Corporation.

8       (g) OTHER USES OF FUNDS.—Funds made available  
9   under this Act may be used to support implementation,  
10   monitoring, training, technical assistance, and administra-  
11   tive work of service and conservation corps covered by a  
12   contract or cooperative agreement entered into under sub-  
13   section (c).

14   **SEC. 5. NONCOMPETITIVE HIRING STATUS.**

15       The Secretary may grant a person who is a former  
16   member of the Healthy Forest Youth Conservation Corps  
17   with credit for time served as a member of the Corps to-  
18   ward future Federal hiring and may provide the person  
19   with a noncompetitive hiring status for not more than 120  
20   days beginning on the date on which the person completed  
21   service as a member of the Corps.

22   **SEC. 6. NONDISPLACEMENT.**

23       The nondisplacement requirements of section 177(b)  
24   of the National and Community Service Act of 1990 (42

1 U.S.C. 12637(b)) shall apply to activities carried out  
2 under this Act.

3 **SEC. 7. DEFINITIONS.**

4 In this Act:

5 (1) ALASKA NATIVE CORPORATION.—The term  
6 “Alaska Native Corporation” means a Regional Cor-  
7 poration or Village Corporation, as those terms are  
8 defined in section 3 of the Alaska Native Claims  
9 Settlement Act (43 U.S.C. 1602).

10 (2) HAWAIIAN HOME LANDS.—The term “Ha-  
11 waiian home lands” has the meaning given the term  
12 in section 203 of Public Law 91–378 (commonly  
13 known as the “Youth Conservation Corps Act of  
14 1970”) (16 U.S.C. 1722).

15 (3) INDIAN LANDS.—The term “Indian lands”  
16 has the meaning given the term in section 203 of  
17 Public Law 91–378 (commonly known as the  
18 “Youth Conservation Corps Act of 1970”) (16  
19 U.S.C. 1722).

20 (4) PUBLIC LAND.—The term “public land”  
21 means—

22 (A) land of the National Forest System (as  
23 defined in section 11(a) of the Forest and  
24 Rangeland Renewable Resources Planning Act  
25 of 1974 (16 U.S.C. 1609(a)));



1 (B) public lands (as defined in section 103  
2 of the Federal Land Policy and Management  
3 Act of 1976 (43 U.S.C. 1702)) and other land  
4 administered by the Secretary of the Interior  
5 through the United States Fish and Wildlife  
6 Service;

7 (C) land owned by a State or local agency;

8 (D) Indian lands, with the approval of the  
9 applicable Indian tribe;

10 (E) Hawaiian home lands, with the ap-  
11 proval of the applicable State agency in the  
12 State of Hawaii; and

13 (F) land under the jurisdiction of an Alas-  
14 ka Native Corporation, with the approval of the  
15 applicable Alaska Native Corporation.

16 (5) SECRETARY CONCERNED.—The term “Sec-  
17 retary concerned” means—

18 (A) the Secretary of Agriculture, with re-  
19 spect to land of the National Forest System de-  
20 scribed in subparagraph (A) of paragraph (4);

21 (B) the Secretary of the Interior, with re-  
22 spect to public land described in subparagraph  
23 (B) of such paragraph; and

24 (C) the Secretary of Agriculture and the  
25 Secretary of the Interior jointly, with respect to

1 land described in subparagraphs (C) through  
2 (F) of such paragraph.

3 (6) SERVICE AND CONSERVATION CORPS.—The  
4 term “service and conservation corps” means any or-  
5 ganization established by a State or local govern-  
6 ment, nonprofit organization, or Indian tribe that—

7 (A) has a research-validated demonstrable  
8 capability to provide productive work to individ-  
9 uals;

10 (B) gives participants a combination of  
11 work experience, basic and life skills, education,  
12 training, and support services; and

13 (C) provides participants with the oppor-  
14 tunity to develop citizenship values through  
15 service to their communities and the United  
16 States.

17 (7) STATE.—The term “State” means—

18 (A) a State;

19 (B) the District of Columbia;

20 (C) the Commonwealth of Puerto Rico;

21 (D) Guam;

22 (E) American Samoa;

23 (F) the Commonwealth of the Northern  
24 Mariana Islands;

25 (G) the Federated States of Micronesia;

1 (H) the Republic of the Marshall Islands;

2 (I) the Republic of Palau; and

3 (J) the United States Virgin Islands.

4 (8) YOUNG ADULTS.—The term “young adults”  
5 means individuals between 16 and 25 years of age.

6 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

7 There is authorized to be appropriated to carry out  
8 this Act \$25,000,000 for each of fiscal years 2005 through  
9 2009.

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